

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CLIFFORD B. MEACHAM et al.,
Plaintiffs,

v.

KNOLLS ATOMIC POWER LABORATORY
et al.,
Defendants.

No. 97-CV-12
(DRH)
(Lead Case)

JAMES R. QUINN, PhD,
Plaintiff,

v.

KNOLLS ATOMIC POWER LABORATORY
et al.,
Defendants.

No. 97-CV-45
(DRH)
(Member Case)

**DAVID R. HOMER
U.S. MAGISTRATE JUDGE**

ORDER

A telephone conference was held with counsel for all parties on May 11, 2009. During that conference, defendants requested an order that the amount of the supersedeas bond be calculated in accordance with N.D.N.Y.L.R. 67.1(a) which limits interest to 11% of the amount of the judgment and plaintiffs requested that in light of the length of time since the entry of the judgment, the bond should include interest from the date of the judgment. The parties further requested correction of the judgment which was ordered reinstated in this Courts memorandum-decision filed May 1, 2009 (Docket No. 312) and plaintiffs requested leave to file a petition for attorneys' fees and costs. As directed during the conference, it is hereby

ORDERED that:

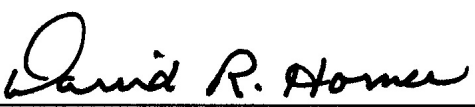
1. The Memorandum-Decision and Order filed May 1, 2009 (Docket No. 312) is amended to the extent that all references to the "Second Amended Judgment (Docket No. 214) shall be **AMENDED** to "Third Amended Judgment (Docket No. 224)";

2. The supersedeas bond which defendants are required to file pursuant to N.D.N.Y.L.R. 67.1(a) shall include, inter alia, the 11% interest referred to in that rule and plaintiffs' request for an order requiring that bond to include an additional amount for the interest on the Third Amended Judgment which has accrued since entry of that judgment is **DENIED**; and

3. Plaintiffs' request for permission to file an application for an award of attorneys' fees and costs incurred since the entry of the Third Amended Judgment is **DENIED** without prejudice to plaintiffs filing such an application within fourteen days after the return of any mandate from the Second Circuit Court of Appeals on the current appeal.

IT IS SO ORDERED.

DATED: May 11, 2009
Albany, New York


United States Magistrate Judge